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SENATE BILL NO. 624

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Privileges and Elections
on January 26, 2010)

(Patron Prior to Substitute—Senator Howell)

A BILL to amend and reenact §§ 24.2-405 and 24.2-406 of the Code of Virginia, relating to lists of registered voters and their voting history.

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-405 and 24.2-406 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-405. Persons who may obtain lists of registered voters.

A. The State Board shall furnish, at a reasonable price, lists of registered voters for their districts, for campaign and political purposes only to (i) courts of the Commonwealth and the United States for jury selection purposes; (ii) candidates for election or political party nomination to further their candidacy; (iii) political party committees or officials thereof for political purposes only; (iv) political action committees that have filed a current statement of organization with the State Board pursuant to § 24.2-949.2, or with the Federal Elections Commission pursuant to federal law, for political purposes only; (v) incumbent officeholders to report to their constituents; and (vi) nonprofit organizations that promote voter participation and registration for that purpose only. The lists shall be furnished to no one else and used for no other purpose. However, the State Board is authorized to furnish information from the voter registration system to general registrars for their official use and to the Department of Motor Vehicles and other appropriate state agencies for maintenance of the voter registration system; and to the Chief Election Officers of other states for maintenance of voter registration systems candidates for election or political party nomination for their districts; (ii) political party committees or officials thereof for their districts; (iii) political committees that have on file a current statement of organization with the State Board of Elections pursuant to the Campaign Finance Disclosure Act of 2006 or with the Federal Elections Commission pursuant to federal law; and (iv) nonprofit organizations that promote voter participation and registration. The list may also be provided to the following persons or organizations, at a reasonable price, for these additional purposes: (a) incumbent officeholders, to report to their constituents; (b) general registrars for their official use; (c) appropriate state agencies and Chief Election Officers of other states for maintenance of voter registration systems; and (d) courts of the Commonwealth and the United States for jury selection purposes.

B. The State Board shall furnish, at a reasonable price, lists of the addresses of registered voters for their localities to local government census liaisons and their staffs for the sole purpose of providing address information to the United States Bureau of the Census. The State Board shall also furnish, at a reasonable price, such lists to the Clerk of the Senate and the Clerk of the House of Delegates for the sole purpose of maintaining a database of constituent addresses for the General Assembly. The information authorized under this subsection shall be furnished to no other person and used for no other purpose. No list furnished under this subsection shall contain the name of any registered voter. For the purpose of this subsection, the term "census liaison" shall have the meaning provided in 13 U.S.C. § 16.

C. In no event shall any list furnished under this section contain the social security number, or any part thereof, of any registered voter except a list furnished to a court of the Commonwealth or of the United States for jury selection purposes, or to the Chief Election Officer of another state permitted to use social security numbers, or any parts thereof, that provides for the use of such numbers on applications for voter registration in accordance with federal law, for maintenance of voter registration systems.

D. Any list furnished under subsection A of this section shall contain the post office box address in lieu of the residence street address for any individual who has furnished at the time of registration or subsequently, in addition to his street address, a post office box address pursuant to subsection B of § 24.2-418.

§ 24.2-406. Persons who may obtain lists of persons voting at primaries and elections.

A. The State Board shall furnish to candidates, elected officials, or political party chairmen and to no one else, on request and at a reasonable price, lists for their districts of persons who voted at any primary, special, or general election held in the four preceding years. Such lists shall be used only for campaign and political purposes and for reporting to constituents, at a reasonable price, lists of registered voters, for campaign and political purposes only to (i) candidates for election or political party nomination for their districts; (ii) political party committees or officials thereof for their districts; (iii) political committees that have on file a current statement of organization with the State Board of Elections pursuant to the Campaign Finance Disclosure Act of 2006 or with the Federal Elections Commission pursuant to federal law; and (iv) nonprofit organizations that promote voter participation

60 *and registration. The list may also be provided to the following persons or organizations, at a*
61 *reasonable price, for these additional purposes: (a) incumbent officeholders, to report to their*
62 *constituents; (b) general registrars for their official use; and (c) appropriate state agencies and Chief*
63 *Election Officers of other states for maintenance of voter registration systems.*

64 B. The State Board shall furnish to the Chief Election Officer of another state, on request and at a
65 reasonable price, lists of persons who voted at any primary, special, or general election held for the four
66 preceding years. Such lists shall be used only for the purpose of maintenance of voter registration
67 systems and shall be transmitted in accordance with security policies approved by the State Board of
68 Elections.

69 C. In no event shall any list furnished under this section contain the social security number, or any
70 part thereof, of any registered voter, except for a list furnished to the Chief Election Officer of another
71 state permitted to use social security numbers, or any parts thereof, that provides for the use of such
72 numbers on applications for voter registration in accordance with federal law, for maintenance of voter
73 registration systems.

74 D. Any list furnished under this section shall contain the post office box address in lieu of the
75 residence street address for any individual who has furnished at the time of registration or subsequently,
76 in addition to his street address, a post office box address pursuant to subsection B of § 24.2-418.